

REMARKS

This Application has been carefully reviewed in light of the Final Office Action. Applicants appreciate the Examiner's consideration of the Application. In order to advance prosecution of this Application, Applicants have responded to each notation by the Examiner. Applicants respectfully request reconsideration and favorable action in this case.

Amendments

Certain independent claims have been amended to include matter substantially similar to matter previously presented in claims dependent on the independent claims. Accordingly, the amendments do not raise the issue of new matter and do not present new issues requiring further consideration or search. In addition, Applicants believe that the amendments place the case in condition for allowance or in better condition for appeal. Accordingly, Applicants respectfully request that the Examiner enter the amendments.

Section 103(a) Rejection

The Examiner rejects under 35 U.S.C. § 103(a): Claims 146-177, 179-190, 192-210, 212-221, 256-279, and 286-302 over U.S. Patent No. 6,847,620 issued to Meier ("*Meier*") and U.S. Patent Application Pub. No. 2002/0019875 filed by Garrett et al. ("*Garrett*"); Claim 191 over *Meier*, *Garrett*, and IEEE Std. 802.11-1997 ("*IEEE*"); and Claim 211 over *Meier*, *Garrett*, and Official Notice. Applicants respectfully traverse this rejection for the reasons discussed below.

Applicants respectfully submit that the combinations of references proposed by the Examiner fails to disclose, teach, or suggest elements specifically recited in Applicants' claims. For example, the proposed *Meier-Garrett* combination fails to disclose, teach, or suggest the following recited in independent Claim 146:

the first access point determining a geographic location of the portable computing device;

the first access point selectively providing network access to the portable computing device based on the determined geographic location of the portable computing device, the network access provided using the determined first VLAN.

The Examiner points to the passage of *Meier* at col. 11, line 11–col. 14, line 2 to teach “determining a geographic location of the portable computing device” and “providing

network access comprises selectively providing network access to the portable computing device based on the determined geographic location of the portable computing device” of Claim 167. (Final Office Action, pp. 12-13.)

This passage of *Meier*, however, discloses that learning the location of a station means learning the port through which the station can be reached, ***not the geographic location*** of the station. According to *Meier*:

802.1D/802.1Q switches use “backward learning” to “learn” the location of stations. ... If a switch learns that station A is on port 1, for example, then frames destined to station A are a) discarded if the source port is port 1, or b) forwarded only on port 1 if the source port is not port 1.

(*Meier*, col. 11, lines 13-19.)

Assume that the terminal, T1, is attached to AP1 and is communicating with the “Host”. Then switch A will learn that the path to T1 is through port 2. ... AP2 then sends a DETACH request to AP1, with T1’s source address. Switch A will learn that T1 can be reached on port 3 when it receives the handoff request. Note that if the root AP sends a frame (e.g., a DETACH frame) with T1’s source address that switch B will incorrectly learn that T1 can be reached through port 5.

... AP2 sends an alert response to AP1, with the source address of T1. Therefore, the switch will learn that the path to T1 is through port 3 when it receives the alert response.

(*Meier*, col. 12, line 51–col. 13, line 8.)

That is, *Meier* discloses learning the port through which the station can be reached, ***not the geographic location*** of the station. Consequently, at a minimum, *Meier* fails to disclose, teach, or suggest the above element of Claim 146. Thus, the proposed *Meier-Garrett* combination fails to disclose, teach, or suggest the elements of independent Claim 146.

For at least these reasons, independent Claim 146 and its dependent claims are allowable under 35 U.S.C. § 103. For analogous reasons, independent Claims 146, 174, 177, 202, 256, and 286-289 and their respective dependent claims are allowable under 35 U.S.C. § 103. Accordingly, Applicants respectfully request reconsideration and allowance of all pending claims.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6494.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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